

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA,)
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)
)
v.) No. 1:19-cr-083-TRM-SKL-1
)
)
JOHN RICHARD JONES)
)

ORDER

Before the Court is a joint motion to continue the July 12, 2021 evidentiary hearing on the suppression motion filed by Defendant John Richard Jones (“Defendant”) and to extend the deadline for the government’s response and Defendant’s reply [Doc. 68]. For cause, the parties state they are attempting to resolve this matter [Doc. 68, at Page ID # 188].

The Speedy Trial Act (“the Act”) requires that a defendant’s trial commence within 70 days of his initial appearance. 18 U.S.C. § 3161(c)(1). That 70-day period, however, may be tolled by several events, including delays caused by a pretrial motion. *Id.* § 3161(h)(1)(D). In addition, a defendant has a right to speedy trial under the Sixth Amendment. *Barker v. Wingo*, 407 U.S. 514, 515 (1972). The constitutional inquiry requires an ad hoc balancing of the rights of the accused against society’s interest in the delay. *Id.* at 530. Courts are guided in this balancing test by several factors: the reason for and the length of the delay, the defendant’s assertion of his right, and prejudice to the defendant. *Id.*

Here the delay is relatively short; the reasons for the delay are legitimate, and the parties jointly request the continuance. Because these factors favor the continuance, parties’ joint motion [Doc. 68] is **GRANTED** and the evidentiary hearing will be continued to **August 5, 2021 at 2:00 p.m. [EASTERN]**. Moreover, it is **ORDERED** that the government’s response to Defendant’s

motion to suppress shall be filed no later than **July 20, 2021** and any reply by Defendant shall be filed no later than **July 27, 2021**.

SO ORDERED.

ENTER:

s/Susan K. Lee

SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE